

REMARKS

Claims 1-32 are pending. The specification has been amended as to matters of form, without adding new matter. A substitute specification is submitted herewith, along with a copy marked up to show the changes. Claims 4, 9, 19, 22, 24, 26, 28 have been amended strictly to improve their idiomatic English, without narrowing their scope. Claims 1, 6, 11, 16, 21, 23, 25, 27, 29, 30, 31 and 32 are the independent claims.

Replacement formal drawings are submitted herewith to substitute for the informal drawings filed originally. This submittal overcomes the objection to the drawings based on the hand-labeling of the informal figures filed originally.

Also, in the Office Action, Figure 1 was objected to as allegedly not showing inputs to the weighting processor 106. In lieu of amending the drawings, Applicant instead has amended the specification (reflected in the substitute specification) to make clear that the details of the inputs to the weighting processor are not shown in Figure 1. It is believed that the invention is understood without showing the details of the input to this element in Figure 1, especially in view of the description in the specification. Withdrawal of the objection is requested.

Claims 1, 6, 11, 16, 21, 23, 25, 27, 29, 30, 31 and 32 were objected to based upon perceived informalities. However, Applicant does not understand exactly what is objected to, and the suggested alternative language does not appear to make sense. For at least this reason, Applicant will not amend the preambles in the proposed manner. If the Examiner intends to maintain the objection, he is requested to point out which statute or regulation is being applied. Withdrawal of the objection is requested.

Claims 1, 2, 4-7, 9-12, 15-17, 20, 21, 23, 25, 27 and 29-32 were rejected under 35 U.S.C. § 103 as obvious from U.S. Patent 6,542,558 (Schulist et al.) in view of U.S. Patent 6,192,501 (Hladik et al.). Applicant traverses and submits that the independent claims are patentable over the cited art for at least the following reasons.

Claim 1 is directed to a method of decoding turbo-encoded, received data in CDMA (Code Division Multiple Access) system which carries out closed-loop control to electric power of a data transmitter, based on a signal to interference ratio. The method includes: (a) weighting reverse-diffused, received data, based on both said signal to interference ratio and data obtained when said signal to interference ratio is measured; (b) carrying out ACS operation or comparison/selection operation in a process of updating alpha metric, a process of updating beta metric, and a process for computing likelihood, to the thus weighted, received data; and (c) compensating for results of said ACS operation, based on a predetermined value associated with a difference generated when said ACS operation or said comparison/selection operation is carried out.

In claim 1, reverse-diffused received data is weighted based on both a signal to interference ratio and on data obtained when the signal to interference ratio is measured. In the Office Action, the position was taken that this feature of claim 1 was shown in Schulist et al., in particular at col. 5, lines 34-53 and col. 6, line 56 to col. 7, line 5. This is incorrect.

In fact, the cited portions of Schulist et al. teach modifying a reference signal to noise ratio based, in part, upon scaling factors applied to the received signal by the demodulation unit 105. The Office Action has identified no teaching in Schulist et al. of applying weighting to the input signal based on the signal to noise ratio, as well as based on information obtained when the signal to noise ratio is measured, and thus has failed to set forth a prima facie case of obviousness for at least this reason.

Hladik et al. is cited as teaching “the details of turbo decoder operation” but does not remedy the above-mentioned deficiencies of Schulist et al. as a reference against independent claim 1. For at least the above reasons, claim 1 is believed patentable over the cited references.

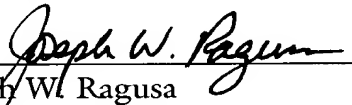
The other independent claims recite substantially similar features to those discussed above and are believed patentable for substantially similar reasons.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Dated: January 10, 2005

Respectfully submitted,

By 
Joseph W. Ragusa

Registration No.: 38,586

DICKSTEIN SHAPIRO MORIN &
OSHINSKY LLP

1177 Avenue of the Americas

41st Floor

New York, New York 10036-2714

(212) 835-1400

Attorneys for Applicant

AMENDMENTS TO THE DRAWINGS

Please substitute the replacement formal drawing sheets submitted herewith for the drawing sheets currently on file. No new matter has been added.